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DEPT FOR EAP, EAP/MTS, EAP/MLS, S/CT, INR/EAP,  
INL FOR CARLON, DOJ FOR CRIM AAG SWARTZ  
DOJ/OPDAT FOR ALEXANDRE/BERMAN/JOHNSON  
FBI FOR ETTEI/SSA ROTH  
NSC FOR J. BADER, NCTC

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SUBJECT: RULE OF LAW: PROSECUTORS GET A CLOSE LOOK AT U.S. JUDICIAL SYSTEM

REF: A) JAKARTA 963

B)07 JAKARTA 3182

¶1. (U) This message is Sensitive-but-Unclassified; please handle accordingly.

¶2. (SBU) SUMMARY: A team of eleven Indonesian prosecutors from a key task force, accompanied by DOJ Resident Legal Advisor (RLA) and polloff, participated in a June study visit to the U.S. The State-funded, DOJ-organized program gave the participants both a broad understanding of the U.S. criminal justice system as well as a more detailed look at how terrorism and other related crimes are investigated and prosecuted in the United States. Task Force members showed great interest in further cooperation in prosecuting complex financial crimes, including terrorist financing, money laundering, and asset forfeiture. DOJ/OPDAT training this fall will address prosecuting these crimes. END SUMMARY.

ASSISTANCE TO A KEY TASK FORCE

¶3. (SBU) Eleven members from the Indonesian Attorney General's Office (AGO) Terrorism and Transnational Crime Task Force visited Seattle, New York, and Washington D.C. as part of a study tour from June 17-26. Mardjuki (one name only), the new chief of the Task Force, headed the delegation, which consisted of recently appointed members of the Task Force. DOJ/OPDAT Resident Legal Advisor and polloff organized the visit and accompanied the group throughout to provide context and explanations for the Indonesian prosecutors. This was the third study tour benefiting members of the Task Force (reftel B).

¶4. (SBU) Created in 2006 and funded through a Memorandum of Understanding between the USG and the AGO, the Task Force is an elite group of prosecutors who are commissioned to handle high-profile cases involving terrorism, money laundering, trafficking in persons (TIP), cybercrime and intellectual property rights. Since inception, the Task Force has successfully prosecuted 64 terrorists, including 43 Jemaah Islamiyah (JI) members, as well as over 90 TIP cases.

STUDY TOUR TO GIVE A FIRST-HAND LOOK

¶5. (SBU) The goal of the three-city visit was to expose the new Task Force prosecutors to how the U.S. investigates and prosecutes terrorism and transnational crimes. The program included meetings with DOJ and other USG officials in New York and Washington and courtroom observations in Seattle and New York. The group met prosecutors from the Western District of Washington, the Southern District of New York, the Manhattan District Attorney's Office, and DOJ's Criminal and National Security Divisions in Washington D.C. working on terrorism and other transnational crime investigations and prosecutions. Aside from the substantive terrorism meetings the program included courtroom observations and an introduction to the U.S. judicial system.

EMPHASIS ON INTERAGENCY COORDINATION

¶6. (SBU) Although the Task Force has had a positive experience coordinating with the Indonesian National Police's terrorism investigation squad (reftel A), its level of coordination has not been instituted throughout the AGO. To highlight ways collaboration can benefit prosecutors, the meetings with the FBI and members of the Joint Terrorism Task Force emphasized the extensive informal and formal cooperation at the federal level between the prosecutors and other investigative agencies including the FBI, DHS/ICE, Border Patrol and the state and local police.

COMPLEX FINANCIAL CRIMES: A NEW FRONTIER

¶7. (SBU) Although Indonesia has anti-money laundering and counterterrorism financing laws, the Task Force members emphasized that they had little to no experience prosecuting crimes under these laws. In Washington, the group spent time with the Terrorism Financing Section of the National Security Division to learn more about building strong terrorist financing cases. Although the Task Force has been very successful in bringing substantive terrorism cases, it has less experience trying cases solely on the grounds of terrorist financing. Throughout the program, the team discussed how to make money laundering charges more routine in their criminal cases. The Task Force intimated that these two issues were areas where they would like additional training opportunities.

URGING FURTHER INVESTIGATIONS AND PROSECUTIONS

¶8. (SBU) Prosecuting intellectual property rights (IPR) crimes and cybercrimes are two areas that Indonesian prosecutors have little experience. In order to spur activity in these areas, the program included sessions on cybercrime and intellectual property rights with U.S. prosecutors. In addition, the group met with Microsoft's law enforcement liaisons in Redmond, Washington to discuss the importance of prosecuting IPR cases and to learn how Microsoft has assisted U.S. prosecutors in cybercrime cases.

FURTHER COLLABORATION

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19. (SBU) The visit moved forward USG's rule of law objectives and the counterterrorism and reform goals of Mission's Strategic Plan. In Washington, DC, the Task Force members met with DOJ's Deputy Assistant Attorney General and with State Department officials from INL, S/CT and GTIP to discuss the program and areas for further collaboration. (Note: INL and S/CT currently fund training and support for the Task Force.) The Task Force members, including the new head, enthusiastically participated in the lectures and discussions. The program also allowed the U.S. to forge a deeper relationship with the new Task Force members and explain U.S. culture through a first-hand exchange.